

07/26/99



JCS53 U.S. PTO

Please type a plus sign (+) inside this box → ☐PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **DFG-1004.5 US**First Inventor or Application Identifier **BRUCE K. REDDING, JR.**Title **PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS**Express Mail Label No. **EJ117815078 US****APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 202311. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)2. ☒ Specification [Total Pages **44**]  
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **6**]4. Oath or Declaration [Total Pages **2**]

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY  
FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT  
IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**5. ☐ Microfiche Computer Program (Appendix)6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**7. ☐ Assignment Papers (cover sheet & document(s))8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney9. ☐ English Translation Document (if applicable)10. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations11. ☐ Preliminary Amendment12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)13. ☒ \* Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired  
(PTO/SB/09-12)14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)15. ☐ Other: \_\_\_\_\_16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: **08,988,758**  
Prior application information: Examiner **DREW BECKER** Group / Art Unit: **1761****For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**17. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	<b>MARTIN SAVITZKY, ESQ.</b>				
Address	<b>SYNNESTVEDT &amp; LECHNER</b>				
	<b>1101 MARKET STREET, 26th FLOOR</b>				
City	<b>PHILADELPHIA</b>	State	<b>PA</b>	Zip Code	<b>19107</b>
Country	<b>USA</b>	Telephone	<b>215 659-6687</b>	Fax	<b>215</b>

Name (Print/Type)	<b>MARTIN SAVITZKY</b>	Registration No. (Attorney/Agent)	<b>29,699</b>
Signature	<i>Martin Savitzky</i>	Date	<b>July 26, 1999</b>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

<b>FEE TRANSMITTAL</b> <b>for FY 1999</b> <small>Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</small>		<b>Complete if Known</b>	
		Application Number	
		Filing Date <b>July 26, 1999</b>	
		First Named Inventor <b>BRUCE K. REDDING, Jr.</b>	
		Examiner Name	
		Group / Art Unit	
TOTAL AMOUNT OF PAYMENT		(\$) <b>640</b>	
		Attorney Docket No. <b>DFG1004.5 US</b>	

<b>METHOD OF PAYMENT</b> (check one)		<b>FEE CALCULATION</b> (continued)																																																																																																																																																																																									
<b>1.</b> <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number <input type="text"/>  Deposit Account Name <input type="text"/>  <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td><b>435</b></td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	<b>MARTIN SAVITZKY</b>	Registration No. (Attorney/Agent)	<b>29,699</b>
Signature	<i>Martin Savitzky</i>	Telephone	<b>215-659-6687</b>
		Date	<b>July 26, 1999</b>

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SEPARATE CHECK FOR PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Redding, Jr., Bruce K.; Harden, Jerome

Application No.: Filed herewith

Filed on: July 26, 1999

Title: PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EJ117815078US

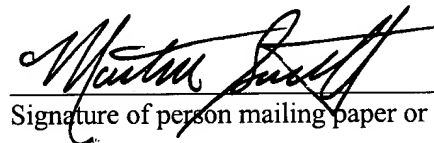
Date of Deposit: July 26, 1999

I hereby state that the following *attached* paper and fees

- 1 page Utility Patent Application Transmittal
- 44 pages of specification
- 3 pages of claims
- 1 page abstract
- 6 pages drawings
- 2 pages Declaration and Power of Attorney
- 1 page Small Entity Declaration
- 1 page Fee Transmittal plus duplicate
- Certificate of Express Mailing Label No. EJ117815078US dated July 26, 1999
- 1 Return Receipt Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Martin F. Savitzky



Signature of person mailing paper or fee

(Express Mail Certificate)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Redding, Jr., Bruce K.; Harden, Jerome  
Application No.: Filed herewith  
Filed on: July 26, 1999  
Title: PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))--SMALL BUSINESS CONCERN**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Delta Food Group, Inc.  
100 Commerce Drive  
Aston, PA 19014

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the specification filed herewith, with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having any rights in the invention is listed below:

No such person, concern, or organization exists.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

John A. Sedor  
President & CEO  
Delta Food Group, Inc.  
100 Commerce Drive  
Aston, PA 19014 USA

Date \_\_\_\_\_

7/26/99

In re the Application of  
Bruce K. Redding, Jr. and Jerome Harden

Serial No. 08/988,758

Filed: December 11, 1997

For: Process and Apparatus for Producing Dietary Fiber Products

Group Art Unit 1761

Examiner: Drew Becker

Martin Savitzky  
Reg 29,699